

BTXN 117a (rev. 10/02)

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

In Re:  
McClain Feed Yard, Inc.

Debtor(s)

Rabo AgriFinance LLC

Plaintiff(s)

Case No.: 23-20084-rlj7

Chapter No.: 7

Adversary No.: 23-02005-rlj

vs.

A.J. Jacques Living Trust ; Michael Acey ; Acey  
Livestock, LLC ; Arnold Braun Trust ; Stan E. Ayers Jr.  
; Bar D Ranch Land & Cattle LLC ; Don Ralph Barrett  
; Barrett's Livestock Inc. ; Sonny Barthold ; Bella  
Elegance LLC ; Big Seven Capital Partners, LLC ;  
Bryan Blackman ; Dora Blackman ; Arnold Braun ;  
Robert Braun ; JoAnn & Keith Brooks ; Brooks Farms  
; Joel Brookshire ; Eddie Bryant ; Brent Burnett ; Joe  
Burnett ; Terry Burnett ; Dennis Buss ; Edwin D. Buss  
; Buss Family Trust ; C Heart Ranch, LLC ; Richard  
Carraway ; Carraway Cattle, LLC ; Curtis Jones Farms  
; DAC83 LLC ; Eric DeJarnatt ; N. Terry Dicks ; Don  
Jones Farm, Inc. ; Don Jones Trucking, Inc. ; Edward  
Lewis Dufurrena ; Rieta May Dufurrena ; Dufurrena  
Cutting Horses ; Robert Ellis ; Michael Evans ;  
Douglas Finley ; Tom Frith ; Justin Garwood ;  
Garwood Cattle Co. ; Gene Brookshire Family, LP ;  
Jim Giordano ; Mike Gourley ; Robert Gray ; Ronnie  
Gray ; Gray Brothers Cattle ; Jimmy Greer ; Bradley  
Gungoll ; Leah Gungoll ; Gungoll Cattle, LLC ; Keith  
Harris ; Jace Harrold ; Hines Cattle Company, LLC ;  
Hines Farms, LLC ; Cory Jesko ; Dwight Jesko ;  
David Johnson ; Dustin Johnson ; Kinsey Jones ;  
Jordan Lesh, LLC ; Larry Keith ; Kingdom Trust ;  
LFC Cattle ; Janice Lawhon ; Colette Lesh ; Gary  
Lesh ; Jan Lesh ; Jared Lesh ; Lesh Family Trust ;  
Charles Lockwood ; Cole Lockwood ; Nikki  
Lockwood ; Sherle Lockwood ; Colton Long ; MAP  
Enterprises ; Natalie Martus ; James McCuan ;  
Morrison Cafe, LLC ; Jean Nix ; Open A Arena LLC ;  
Barry Phillips ; Drew Phillips ; Priest Cattle Company,  
Ltd. ; Priest Victory Investment LLC ; Christopher  
Prince ; Producers Livestock Commission ; David  
Rainey ; Rapp Ranch ; Mark J. Reisz ; Ralph Reisz ;  
Ridgefield Capital Asset Management ; Kent Ries ;  
Riley Livestock, Inc. ; Jim Rininger ; Angie Robinson  
; Rick Rodgers ; Wiley Roby Russell Jr. ; Steve Ryan  
; Scarlet & Black Cattle, LLC ; Scott Livestock  
Company ; Shaw & Shaw Farms Partnership LLC ;  
Robert J. Spring ; Jeff Starnes ; Starnes Cattle ; Steve  
T Scott Farms, Inc. ; Eddie Stewart ; Rachel Stewart ;  
Robert Stewart ; Scott E. Stewart ; Justin Stuever ;  
Phillip Sullivan ; Amy Sutton ; Craig Sutton ; TGF  
Ranch LLC ; The University of Florida ; Thorlakson  
Diamond T Feeders, LP ; John Tidwell ; Mykel  
Tidwell ; John Tindal ; Tindal Truck Sales ; Colby  
VanBuskirk ; Janet VanBuskirk ; Lyndal VanBuskirk  
; Susan VanBuskirk ; WJ Performance Horses, Inc. ;  
Cameron Weddington ; Nancy Weddington ; William  
Weddington ; Job White ; Wildforest Cattle Company  
LLC ,

Defendant(s)

## SUMMONS IN AN ADVERSARY PROCEEDING

To the above-named defendant: **BRENT BURNETT**

You are hereby summoned and required to serve upon **Michael R. Johnson**, Plaintiff's attorney (or if Plaintiff is not represented by counsel, upon Plaintiff), whose address is **Ray Quinney & Nebeker P.C.**

**36 South State Street, Suite 1400**

**Salt Lake City, UT 84111**, either a motion or an answer to the complaint which is now served upon you. If you elect to respond first by motion, as you may pursuant to Fed. R. Bankr. P. 7012, that governs the time within which your answer must be served. Otherwise, you are required to serve your answer upon Plaintiff's attorney (or upon Plaintiff if Plaintiff is not represented by counsel) within 30 days of the date of issuance of this summons by the clerk (or by the following date prescribed by the court: N/A) except that the United States or an office or agency thereof shall serve an answer to the complaint within 35 days after the date of issuance of the summons.

*{If this summons and complaint is served in a foreign country}* Service of your answer must be made by the following date prescribed by the court N/A.

The motion or answer served by you must be filed with this court before service or within a reasonable time after service. **IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THIS SUMMONS, JUDGMENT BY DEFAULT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

DATED: 12/1/23

FOR THE COURT:

Robert P. Colwell, Clerk of Court

by: /s/C. Graham, Deputy Clerk



# AFFIDAVIT OF NON-SERVICE

**State of Texas**

**County of Northern**

**District Court**

**Case Number: 23-20084-RLJ7**

**Plaintiff: Rabo Agrifinance LLC**

**VS.**

**Debtor: McClain Feed Yard Inc, McClain Farms Inc, and 7M Cattle Feeders Inc**

**For:**

RAY QUINNEY & NEBEKER P.C.  
36 SOUTH STATE STREET SUITE 1400  
PO BOX 45385  
SALT LAKE CITY, UT 84145-0385

Received by Kentucky Process Service Inc. on the 16th day of January, 2024 at 3:32 pm to be served on **Brent Burnett, 1612 Sanderson Road, Mayfield, KY 42066.**

**I, Nicholas Wyatt, being duly sworn, depose and say that on the 27th day of January, 2024 at 9:10 am, I:**

**NON-SERVED the Cover Letter, Summons, Complaint and Court Order** for the reason that I failed to find **Brent Burnett** or any information to allow further search. Read the comments below for further details.

**Additional Information pertaining to this Service:**

1/20/2024 11:45 am Attempted service at 1612 Sanderson Road, Mayfield, KY 42066. Large gate outside property. Called multiple times to attempt o contact and calls have not been returned (270-705-3244)

1/24/2024 7:15 pm Attempted Service. at 1612 Sanderson Road, Mayfield, KY 42066-- large gate on property, locked can not get in, called multiple times no answer inside

1/27/2024 9:10 am Attempted Service. at 1612 Sanderson Road, Mayfield, KY 42066-- address remains the same gate locked unable to enter

I certify that I am over the age of 18, have no interest in the above action, and am a Process Server, in good standing, in the judicial circuit in which the process was served.

Subscribed and Sworn to before me on the 31st  
day of January, 2024 by the affiant  
who is personally known to me.

**NOTARY PUBLIC**

Nicholas L. Wyzanski

**Nicholas Wyatt**  
Process Server

1/31/24

**Date**

**Kentucky Process Service Inc.**  
**128 S. Locust Street**  
**Versailles, KY 40383**  
**(859) 489-0726**

**Our Job Serial Number: KPM-2024000423**



In Re: Rabo AgriFinance LLC v. Acey Livestock, LLC et al  
Case No. 23-20084-rlj7 -7  
Adv. No. 23-02005-rlj

## SUMMONS SERVICE EXECUTED

I, Carrie Hurst of \*\* Ray Quinney & Nebeker P.C. certify:

If service was made by personal service, by residence service, or pursuant to state law, I further certify that I am, and all times during service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made;

That on the 25th day of January, 2024, I caused to be served a copy of the within summons, together with the Amended complaint and *Order Regarding Adversary Proceeding Trial Setting and Alternative Scheduling Order* filed and in this proceeding, along with the attached cover letter on **Brent Burnett**

a defendant in this proceeding, by *Regular, first class Mail, postage prepaid to:*

**1612 Sanderson Road  
Mayfield, KY 42066**

I certify under penalty of perjury that the foregoing is true and correct.

Executed on January 25 , 2024

(Date)

/s/ Carrie Hurst

(Signature)

\*\*36 South State Street, Suite 1400, Salt Lake City, UT 84111  
*State mailing address*

RAY QUINNEY & NEBEKER

January 16, 2024

VIA Process Server

Brent Burnett  
1612 Sanderson Road  
Mayfield, KY 42066

Re: Bankruptcy cases of McClain Feed Yard, Inc.,  
McClain Farms, Inc., and 7M Cattle Feeders, Inc.  
Adversary Proceeding #23-02005 – Rabo vs. Burnett et al

Dear Mr. Burnett,

This law firm represents Rabo AgriFinance LLC, a secured creditor of the above-referenced bankruptcy estates pending in the United States Bankruptcy Court, Northern District of Texas. Rabo is also the Plaintiff in Adversary Proceeding # 23-02005 filed in connection with the 3 bankruptcy cases against you and multiple other Dealer Trust Claimants.

With this letter you are being served with a Complaint, Summons and an Order issued from the Bankruptcy Court in Adversary Proceeding # 23-02005. In accordance with the Bankruptcy Court Order we attempted to serve you with the Summons and Complaint on December 7, 2023, through the United States Postal Service by Certified mail. The envelope addressed to you at 1612 Sanderson Road, Mayfield, KY was returned as undeliverable, therefore we have arranged to have you served by a process server. The Summons you are being served with indicates that you must answer the complaint with 30 days of the date of issuance of the Summons, but since service was not initially made upon you in a timely manner, this letter is to inform you that you may have **30 days from the day you are personally served** with the Complaint to file an answer.

Please note that as stated in the Summons IF YOU FAIL TO RESPOND IN ACCORDANCE WITH THE SUMMONS, and this letter, JUDGMENT BY DEFAULT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

If you have any questions, or concerns about this matter and meeting the deadline, please contact me at (801) 323-3363. Your cooperation is appreciated.

Sincerely,

RAY QUINNEY & NEBEKER P.C.



Michael R. Johnson

MRJ/ch  
enclosures  
1659962

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